IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5841 of 2007()

CRLMP.11109/2007 of J.M.F.C.,CHALAKUDY
CRIME NO.308/07 OF KORATTY POLICE STATION

.....

: PETITIONER/ACCUSED

SUDHAKARAN, S/O.AYYAPPAN,
CHEMPAKAVEETTIL HOUSE, ALUKKAPPILLY DESOM,
MELOOR VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5841 of 2007

Dated this the 26th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack and 100 litres of Wash and utensils for illicit distillation on 21/8/07. He was arrested on 5/9/07. The petitioner continues in custody from 5/9/07. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 8/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

Nan/